

4



35.C14905

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
NAOJI OTSUKA ET AL.) Examiner: Not Yet Assigned
Application No.: 09/702,765) Group Art Unit: 2853
Filed: November 1, 2000)
For: TWO-WAY PRINTING)
APPARATUS AND PRINT)
METHOD) March 19, 2001

Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

Applicants' attorneys have received an official Filing Receipt in the above-identified application in which the name of the second inventor and the addresses of the first and second inventor have been omitted. The address of the first inventor should read as follows:

--13-13, Kita Yamata 3-chome, Tsuzuki-ku, Yokohama-shi, Kanagawa-ken, Japan--.

The name and address of the second inventor should read as follows:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on
March 19, 2001
(Date of Deposit)

Leonard P. Diana
(Name of Attorney for Applicant)
LP. Diana March 19, 2001
Signature Date of Signature

--OSAMU IWASAKI, 38-3, Koenji Kita 3-chome,
Suginami-ku, Tokyo, Japan--.

In addition, the priority data has been omitted.
The priority data should read as follows:

--JAPAN 11-313790 11/4/99--.

Issuance of a corrected Filing Receipt, corrected
as shown above, is accordingly respectfully requested.

Applicant's undersigned attorney may be reached in
our New York office by telephone at (212) 218-2100. All
correspondence should continue to be directed to our address
given below.

Respectfully submitted,


Attorney for Applicant

Registration No. 28,986

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

18. (Amended) The print apparatus according to any one of Claims 1 to 7 or 9 to 17 [either one of Claims 1 to 17], wherein said recording head ejects the ink materials by heat.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/702,765	11/01/2000	2853	1536	35.C14905	10	25	5

05514
FITZPATRICK CELLA HARPER & SCINTO
80 ROCKEFELLER PLAZA
NEW YORK, NY 10112

FILING RECEIPT



OC000000005691697

Date Mailed: 01/19/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Naoji Otsuka, Residence Not Provided; 34-13, Kita Yamata 3-chome, Tsuzuki-Ku,
Yokohama-Shi, Kanagawa-Ken, Japan --
-- Osamu Iwasaki, 38-3, Koengi, Kita 3-chome, Suginami-Ku, Tokyo, Japan --
Continuing Data as Claimed by Applicant

Foreign Applications

Japan 11-313790 11/4/99

If Required, Foreign Filing License Granted 01/19/2001

Title

Two-way print apparatus and print method

Preliminary Class

347

Data entry by : SCOTT, JOSEPH

Team : OIPE

Date: 01/19/2001



LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
 Office of Initial Patent Examination
 Customer Service Center
 Washington, DC 20231

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/702,765	11/01/2000	Naoji Otsuka	35.C14905

05514
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

FORMALITIES LETTER



OC000000005691698

Date Mailed: 01/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$36.
 - \$432 for 24 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 166.

A copy of this notice MUST be returned with the reply.

J. Scott

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/23/2001 GDEBELA1 00000012 09702765

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sector
#3

35.C14905

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: *)
NAOJI OTSUKA ET AL.)
Application No.: 09/702,765)
Filed: November 1, 2000)
For: TWO-WAY PRINTING)
APPARATUS AND PRINT)
METHOD)
Examiner: Not Yet Assigned
Group Art Unit: 2853
March 19, 2001

Box Missing Parts
The Commissioner for Patents
Washington, D.C. 20231

**ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL
PROCESSING AND CORRESPONDENCE BRANCH**

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION - FILING DATE GRANTED

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF
APPLICATION - FILING DATE GRANTED mailed January 19, 2001
enclosed please find an executed Declaration and Power of
Attorney form, together with a check for \$130.00 covering the
Declaration Surcharge fee. Also enclosed is a copy of the
NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE
GRANTED.

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first-class mail in an envelope addressed
to: Commissioner for Patents, Washington, D.C. 20231 on
March 19, 2001
(Date of Deposit)

Leonard P. Diana
(Name of Attorney for Applicant)
Signature Date of Signature
March 19, 2001

The NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED indicates that an additional claims fee of \$36.00 is required. According to the NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED, the instant application contains forty-four (44) claims for fee calculation purposes. Applicants believe that this additional claims fee has been mistakenly applied, as explained below.

The instant application contains twenty-five (25) claims, including two (2) multiply dependent claims, Claims 8 and 18. Therefore, the total number of claims for fee calculation purposes is calculated as follows. Claims 1-7, 9-17 and 19-25 amount to twenty-three (23) claims for fee calculation purposes. Claim 8, which depends from two (2) claims, amounts to two (2) claims for fee calculation purposes. Claim 18 is an improper multiply dependent claim because it depends from multiply dependent Claim 8; therefore, Claim 18 should have been counted as one (1) claim for fee calculation purposes (per M.P.E.P., 608.01(n), I.G.2.(b)). Therefore, the total number of claims in the application as filed, for fee calculation purposes, is twenty-six (26) claims, not forty-four (44) claims.

Applicants further note that improper multiply dependent claims are not to be examined but are required by

law to be canceled or amended (see M.P.E.P. 608.01(n), II.). Accordingly, Applicants are submitting herewith a Preliminary Amendment in which improper multiply dependent Claim 18 has been amended to be a proper multiply dependent claim, depending from sixteen (16) claims. With this Preliminary Amendment, Claim 18 will amount to sixteen (16) claims for fee calculation purposes, rather than one (1) claim as before. Therefore, the Preliminary Amendment increases the total number of claims in the subject application for fee calculation purposes by fifteen (15) claims, from twenty-six (26) claims to forty-one (41) claims.

Applicants note that when the instant application was filed, claims fees were paid covering forty-two (42) total claims. However, as explained above, upon entry of the instant Preliminary Amendment, the total number of claims in the instant application will stand at forty-one (41). Therefore, Applicants will have paid for one (1) claim, i.e. \$18.00 in claims fees, in excess of what is required. Accordingly, Applicants hereby request that a refund of this overpayment be deposited to Applicants' attorney's Deposit Account No. 06-1205.

As has been explained, the instant application now contains a total of forty-one (41) claims for fee calculation purposes, not the forty-four (44) claims indicated in the

NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED. Therefore, Applicants submit that the additional claims fee charged in the NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED has been mistakenly applied. Should the Office of Initial Patent Examination (OIPE) disagree with what Applicants have set forth hereinabove, Applicants request that the OIPE contact Applicants' undersigned attorney in order to expedite resolution of this matter.

The Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

Z. P. Dima
Attorney for Applicants

Registration No. 28, 286

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
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